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PATENT APPLICATION  
10/825,345

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shannon V. Davidson et al.  
Serial No.: 10/825,345  
Filing Date: April 15, 2004  
Title: System and Method for Computer Cluster Virtualization Using Dynamic Boot Images and Virtual

CERTIFICATE OF MAILING  
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I hereby certify that this communication is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 C.F.R. § 1.10 on the date indicated below and is addressed to The Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

*Willie Jiles*

Willie Jiles

Date: October 10, 2005

INFORMATION DISCLOSURE STATEMENT

Applicants respectfully request, under 37 C.F.R. §§ 1.56, 1.97 and 1.98, that the references listed on the attached PTO-1449 form be considered and cited in the examination of the above-identified patent application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. All other references are enclosed for the convenience of the Examiner.

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**REMARKS**

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than thirty days prior to the filing of this Information Disclosure Statement, and this Information Disclosure Statement is submitted before a first Office Action on the merits. Under 37 C.F.R. § 1.97(b)(3), no fee is due. Nonetheless, the Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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Date: October 10, 2005

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**Customer Number 45507**

<b>PTO-1449</b> <b>O I Information Disclosure Citation In an Application</b> <small>OCT 10 2005</small>			<b>Application No.</b> <b>10/825,345</b>		<b>Applicant(s)</b> <b>Shannon V. Davidson et al.</b>		
			<b>Docket Number</b> <b>064747.1011</b>	<b>Group Art Unit</b>	<b>Filing Date</b> <b>April 15, 2004</b>		
<b>U.S. PATENT DOCUMENTS</b>							
	<b>DOCUMENT NO.</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>FILING DATE</b>	
/S.D./A	4,868,818	09/19/1989	Madan	371	11.3	10/29/1987	
/S.D./B	5,020,059	05/28/1991	Gorin et al.	371	11.3	03/31/1989	
/S.D./C	5,748,882	05/05/1998	Huang	395	184.01	05/08/1996	
/S.D./D	5,926,619	07/20/1999	Badovinatz et al.	395	182.02	01/05/1998	
/S.D./E	6,453,426	09/17/2002	Gamache et al.	714	4	03/26/1999	
/S.D./F	6,629,266	09/30/2003	Harper et al.	714	38	11/17/1999	
/S.D./G	2003/0005276	01/02/2003	French et al.	713	2	06/28/2001	
/S.D./H	2003/0097487	05/22/2003	Rietze et al.	709	325	11/20/2001	
<b>FOREIGN PATENT DOCUMENTS</b>							
	<b>DOCUMENT NO.</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION</b>	
						<b>YES</b>	<b>NO</b>
/S.D./I	WO 03/005192	01/16/2003	PCT	G06F	9/445	X	
/S.D./J	EP 0 981 089 A2	02/23/2000	European Patent Office	G06F	11/14	X	
<b>NON-PATENT DOCUMENTS</b>							
	<b>DOCUMENT (Including Author, Title, Source, and Pertinent Pages)</b>					<b>DATE</b>	
/S.D./K	Communication from the European Patent Office, European Search Report for Application No. PCT/US2005/012313, 7 pages, 09/20/2005, and Written Opinion of the International Search Authority, 7 pages					09/20/2005	
/S.D./L	Communication from the European Patent Office, European Search Report for Application No. PCT/US2005/012316, 7 pages, 09/14/2005, and Written Opinion of the International Search Authority, 7 pages					09/14/2005	
/S.D./M	Communication from the European Patent Office, European Search Report for Application No. PCT/US2005/012242, 7 pages, 09/19/2005, and Written Opinion of the International Search Authority, 9 pages					09/19/2005	
/S.D./N	Davidson, U.S. Patent Application Serial Number 10/991,754, filed 11/17/2004, entitled "Fault Tolerance and Recovery in a High-Performance Computing (HPC) System, 117 pages					11/17/2004	
EXAMINER <i>/Saket Daftuar/ (06/10/2008)</i>			DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							

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